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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/923,702	08/07/2001	Fumitake Yodo		1747

7590 10/12/2004  
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EXAMINER

FISCHER, ANDREW J

ART UNIT PAPER NUMBER

3627

DATE MAILED: 10/12/2004

Please find below and/or attached an Office communication concerning this application or proceeding.



**DETAILED ACTION*****Claim Rejections - 35 USC § 103***

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Peterson 5,857,020 ("Peterson '020").

Peterson '020 discloses an accounting system having accounting center (16) and a terminal device (70, 98, and 86). The terminal device comprising; a first memory (within card 88, e.g. memory 91); a second memory (within medium 70, e.g. 79); a first controller (86 and 94 within 86); the controller updates the attributes of the distributed information to an unavailable state (e.g. when the expiration time expires, the desired content again becomes unavailable); the controller updates the accounting points stored in the first memory based upon the distributed information (the change in points is a function of the cost of the content accessed); when accounting points are updated correctly; the controller updates attributes of the distributed information from an unavailable state to the available state (i.e. the user can access the desired information and the charge for that access is deducted); and a second controller (modem). The accounting center comprises a third controller (the personal computer ("PC")) adapted to carry out an account processing (updating a user's account such as purchasing more points, inquiring into the number of points available, or receiving points for returned items, etc.) based upon the accounting points transmitted from the terminal device.

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Regarding the system having a connector, it has been well known in peer-to-peer communication networks to include detectors in order to determine whether a portable device is connected to the system. Accordingly, to provide Peterson '020 with a detector would have been obvious for one having ordinary skill in the art at the time of the invention. The motivation for such a change would have been to provide more efficient network protocol method.

Regarding the additional limitation beginning with, "when the detector...", this limitation is merely conditional phraseology; therefore, such a phrase is functional language having no patentable weight. Also, it is noted the system does not positively recite a portable device is attached to the terminal device.

#### ***Response to Arguments***

Applicant's arguments with respect to claim 9 have been considered but are moot in view of the new ground(s) of rejection.

#### ***Conclusion***

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory

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action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Andrew J. Fischer whose telephone number is 703-305-0292.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Olszewski can be reached on (703) 308-5183. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



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